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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,

12 Plaintiff(s),

13 v.

14 MATHEW ASPATORE,

15 Defendant(s).

Case No.: 2:18-cr-00418-RFB-NJK

ORDER

16 On July 10, 2020, Assistant United States Attorney Brett Ruff emailed the undersigned's
17 law clerks to advise them that he does not believe the undersigned's standing order is implicated
18 with respect to a pending motion and as to the timeframe in which he intends to respond to that
19 motion. That email is attached hereto for the record with the law clerk information redacted.

20 Mr. Ruff is hereby **ADMONISHED** as he is not permitted to contact chambers staff
21 regarding pending motions in this fashion. The local rules could not be clearer. Except in a
22 limited circumstance not applicable here,

23 an attorney . . . must not send case-related correspondence, such as
24 letters, emails, or facsimiles, to the court. All communications with
25 the court must be styled as a motion, stipulation, or notice, and must
be filed on the docket and served on all other attorneys and pro se parties.

26 Local Rule IA 7-1(b). The Government is most assuredly not immune from the rules that apply
27 to all litigants in this courthouse. *See, e.g.*, Local Rule IA 1-2 (making this section of the local
28 rules applicable to "all actions and proceedings"). Mr. Ruff must immediately cease case-related

1 email correspondence. **Future violations of this rule may result in the imposition of personal**
2 **sanctions on Mr. Ruff.** Local Rule IA 11-8(c).¹

3 IT IS SO ORDERED.

4 Dated: July 10, 2020

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6 Nancy J. Koppe
7 United States Magistrate Judge
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24 _____
25 ¹ Had Mr. Ruff read the opening lines of the undersigned's standing order, it would have
26 been abundantly clear that the undersigned's standing order is entirely inapplicable to the pending
27 motion because the undersigned did not detain Defendant. *Compare* Criminal Case Standing
28 Order at 1 ("This order applies to every open criminal case in which the undersigned ordered a
Defendant to be detained and that Defendant remains in custody awaiting trial. It further applies
to any such situated Defendant in a criminal case assigned to the undersigned who was detained
by a now-retired magistrate judge. This order does not apply to any other Defendant.") *with* Docket
No. 14 (order of detention entered by United States Magistrate Judge Cam Ferenbach).

From: Ruff, Brett (USANV) <Brett.Ruff@usdoj.gov>
Sent: Friday, July 10, 2020 9:04 AM
To:
Cc: mlevy_wmllawlv.com
Subject: FW: Activity in Case 2:18-cr-00418-RFB-NJK USA v. Aspatore Motion to Reopen Detention Hearing

Good morning,

The below Motion to Reopen Detention Hearing was filed yesterday in one Judge Koppe's matters. The government has reviewed the motion, and we write to advise that it does not appear to fall within the scope of motions governed by Judge Koppe's COVID-19 Standing Order. That is, it does not appear to be "any request to reopen a detention hearing on the basis of the physical and mental condition of the accused that is filed in the cases identified above, or for any request for temporary release due to compelling reasons for such release." We therefore intend to file our response within the traditional 14-day timeframe, rather than the abbreviated timeframe applicable to COVID-19 motions.

Thank you,

Brett C. Ruff
Assistant United States Attorney
United States Attorney's Office, District of Nevada
501 Las Vegas Blvd. S, Suite 1100 | Las Vegas, NV 89101
p: 702-388-6519 | brett.ruff@usdoj.gov

From: cmecf@nvd.uscourts.gov <cmecf@nvd.uscourts.gov>
Sent: Thursday, July 9, 2020 1:08 PM
To: cmecfhelpdesk@nvd.uscourts.gov
Subject: Activity in Case 2:18-cr-00418-RFB-NJK USA v. Aspatore Motion to Reopen Detention Hearing

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

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United States District Court

District of Nevada

Notice of Electronic Filing

The following transaction was entered by Levy, Monti on 7/9/2020 at 1:07 PM PDT and filed on 7/9/2020

Case Name: USA v. Aspatore
Case Number: 2:18-cr-00418-RFB-NJK
Filer: Dft No. 1 - Mathew Aspatore
Document Number: 49

Docket Text:

MOTION to Reopen Detention Hearing by Mathew Aspatore. (Levy, Monti)

2:18-cr-00418-RFB-NJK-1 Notice has been electronically mailed to:

Brett Ruff brett.ruff@usdoj.gov, amy.bondi@usdoj.gov, caseview.ecf@usdoj.gov

Christopher Chiou christopher.chiou@usdoj.gov, bernadette.almeida@usdoj.gov, CaseView.ECF@usdoj.gov

Monti J. Levy mlevy@wmllawlv.com, debbie@wmllawlv.com

Phillip N. Smith, Jr phillip.smith@usdoj.gov, anjelica.vazquez@usdoj.gov, CaseView.ECF@usdoj.gov,
mayumi.coffman@usdoj.gov

Rebecca Clinton rebecca.clinton@usdoj.gov, mayumi.coffman@usdoj.gov

2:18-cr-00418-RFB-NJK-1 Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

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Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1101333072 [Date=7/9/2020] [FileNumber=9824625-0]

[a41ec229e0ed689a1ea0ebbf78ab24e6071407a34b5a6f1af8571f816087fecc34bc

bc58ad7d83e130bea731897a019e55a2daba3bab8bfef263c7aecc0bd2]]